

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN REINSURANCE COMPANY,
et al.,

Plaintiffs,

v.

AMERICAN INTERNATIONAL GROUP,
and TRENWICK AMERICA
REINSURANCE CORPORATION,
Defendants.

CIVIL ACTION NO: 05-CV 11840-MLW

**DEFENDANT AIG, INC.'S MOTION FOR LEAVE TO FILE CONSOLIDATED
BRIEF IN EXCESS OF TWENTY PAGES (ASSENTED TO BY ALL PARTIES)**

Pursuant to Local District Court Rule 7.1, Defendant American International Group, Inc. on behalf of its member and associated companies ("AIG, Inc.") moves for leave to file a single, consolidated Memorandum in Opposition to Plaintiffs' Motion to Remand to the Superior Court and Reply in Support of AIG, Inc.'s Motion to Stay Proceedings Pending Arbitration that exceeds twenty (20) pages. This Motion is assented to by all other parties to the case. In support of this request, AIG, Inc. states as follows:

1. On September 9, 2005, Defendants AIG, Inc. and Trenwick America Reinsurance Corporation ("Trenwick") filed and served their Notice of Removal of this action from the Massachusetts Superior Court, Suffolk County, Business Litigation Session. [Dkt. No. 1].

2. Also on September 9, 2005, AIG, Inc. filed its Motion to Stay Proceedings Pending Arbitration, together with a supporting Memorandum of Law and the Affidavit of Eric

S. Kobrick. [Dkt. Nos. 3, 6, 7].¹ Trenwick filed a separate Motion to Stay Proceedings and accompanying Memorandum of Law on September 15, 2005. [Dkt. Nos. 8, 9].

3. Pursuant to a Stipulation to Enlarge Time filed with the Court on October 7, 2005 [Dkt. No. 11], Plaintiffs American Reinsurance Company, *et al.* ("Plaintiffs") filed their Motion to Remand to the Massachusetts Superior Court on October 13, 2005. [Dkt Nos. 12, 14, 15]. On October 14, 2005, Plaintiffs filed a separate Memorandum in Opposition to AIG, Inc.'s and Trenwick's Motions to Stay Proceedings Pending Arbitration. [Dkt. Nos. 17, 20].

4. On October 26, 2005, AIG, Inc., Plaintiffs and Trenwick filed a Joint Motion for Entry of Briefing Schedule. [Dkt. No. 24]. Subject to the Court's approval, the Joint Motion provides for certain agreed upon dates for the completion of briefing with respect to all pending motions. In accordance with the terms of the Joint Motion, and subject to the Court's approval, AIG, Inc. would have the right to file an Opposition to Plaintiffs' Motion to Remand and a separate Reply Brief in further support of AIG, Inc.'s Motion to Stay on or before November 10, 2005. Under the provisions of Local District Court Rule 7.1, each of these briefs could not exceed twenty (20) pages, or a total of forty (40) pages of briefing.

5. In order to streamline the briefing of these motions, AIG, Inc. proposes to file a single, consolidated Memorandum in Opposition to Plaintiffs' Motion to Remand and Reply in Support of AIG, Inc.'s Motion to Stay Proceedings Pending Arbitration. However, AIG, Inc. cannot address all of the issues raised in these two motions within the twenty (20) pages granted as of right for a brief under Local District Rule 7.1. AIG, Inc. does not anticipate that its single, consolidated brief will exceed approximately thirty (30) pages in length, which is ten (10) pages less than AIG, Inc. would otherwise be allowed for briefing pursuant to the Joint Motion.

¹ Pursuant to the parties' agreement, all substantive memoranda, affidavits and exhibits have been filed under seal.

6. In light of the complexity of the issues raised by AIG, Inc.'s Motion to Stay Proceedings Pending Arbitration and Plaintiffs' Motion to Remand, there is "good cause" for the Court to permit AIG, Inc. to file a brief in excess of twenty (20) pages. Further, in the interest of attempting to streamline the briefing of these issues, all parties have assented to this request.

For the reasons stated, AIG, Inc. respectfully requests that the Court grant it leave to file a single, consolidated Memorandum in Opposition to Plaintiffs' Motion to Remand and Reply in Support of AIG, Inc.'s Motion to Stay Proceedings Pending Arbitration that exceeds twenty (20) pages.

**AMERICAN INTERNATIONAL
GROUP, INC.**

By its attorneys,

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Dated: November 8, 2005